

## Message Text

SECRET

PAGE 01 BANGKO 04894 01 OF 03 031453Z

47

ACTION EA-06

INFO OCT-01 SS-14 ISO-00 PM-03 CIAE-00 INR-05 INRE-00

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O 031331Z MAR 76

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC IMMEDIATE 9501

INFO SECDEF WASHDC IMMEDIATE

CINCPAC HONOLULU I IMMEDIATE

DIRNSA IMMEDIATE

COMUSMACTHAI IMMEDIATE

S E C R E T SECTION 1 OF 3 BANGKOK 4894

LIMDIS

CINCPAC ALSO FOR POLAD

E.O. 11652: XGDS-3 INDEFINITE

TAGS: MARR, PFOR, TH

SUBJECT: U.S. RESIDUAL FORCES IN THAILAND

REF: A) BANGKOK 4758 (DTG 021205Z MAR 76) B) STATE 44641 (DTG 250227Z FEB 76)

SUMMARY: AMBASSADOR CALLED ON UNDER SECRETARY ANAN MARCH 3 TO GIVE PRELIMINARY US COMMENTARY ON THAI SEVEN PRINCIPLES. ANAN, WHILE CONCEDING THAT LANGUAGE CHANGES, IF PROPOSED, COULD BE CONSIDERED FOR PRINCIPLES TWO THROUGH SEVEN, FLATLY REJECTED THE IDEA OF ANY CHANGES IN PRINCIPLE ONE. HE WAS EQUALLY FIRM IN TURNING DOWN THE IDEA THAT EXISTING ARRANGEMENTS ON STATUS OF US FORCES COULD REMAIN IN EFFECT PENDING NEGOTIATION OF NEW ONES. RTG POSITION, HE SAID, WAS THAT UNLESS SEVEN PRINCIPLES HAD BEEN AGREED TO BY MARCH 20, RTG WOULD HAVE TO ASK ALL US FORCES,

SECRET

SECRET

PAGE 02 BANGKO 04894 01 OF 03 031453Z

EXCEPT JUSMAG, TO LEAVE. END SUMMARY.

1. AMBASSADOR, ACCCOMPANIED BY POMILCOUNS, CALLED ON MFA UNDER SECRETARY ANAN PANYARACHAN MARCH 3 TO PRESENT US COMMENTS ON SEVEN PRINCIPLES. ALSO PRESENT ON THAI SIDE WERE MFA DIRECTOR GENERAL, POLITICAL AFFAIRS, KOSON SINTHAWANON, AND AMERICAN AFFAIRS DIRECTOR WORAPHUT CHAIYANAM.

2. AMBASSADOR OPENED BY PROVIDING COMMENTS ON SEVEN PRINCIPLES AS AUTHORIZED REF A. WHEN HE HAD FINISHED, ANAN OFFERED A SHORT SUMMARY OF THE SUBSTANCE OF THE US POSITION: THE US WANTED TO INCORPORATE A REFERENCE TO PAST AGREEMENTS. THE AMBASSADOR CORRECTED THIS, SAYING THAT THE US IN FACT WANTED TO CONTINUE PRESENT ARRANGEMENTS UNTIL NEW AGREEMENTS COULD BE CONCLUDED. ANAN OBSERVED THAT THAT WAS THE CRUX OF THE DIFFERENCE BETWEEN THE THAI AND US POSITIONS. AS THE THAI SAW IT, SINCE THE PROVISIONS OF THE 1950 MILITARY ASSISTANCE AGREEMENT COULD NO LONGER BE APPLIED EXCEPT TO JUSMAG ITSELF, PRINCIPLE ONE AS DRAFTED BY THE THAI FILLED THE VACUUM. THE THAI PRINCIPLES WOULD GOVERN THE STATUS OF OTHER US DEFENSE PERSONNEL IN THAILAND UNTIL NEW AGREEMENTS HAD BEEN NEGOTIATED. ANAN SAID THAT THE RTG COULD NOT ACCEPT THE US APPROACH. HE STRESSED THAT IT WAS NOT A QUESTION OF RENEGOTIATION OR DENUNCIATION OF THE 1950 AGREEMENT ITSELF, BUT ONLY OF NULLIFYING ITS LATER MISAPPLICATION TO NON-JUSMAG PERSONNEL.

3. SEEKING TO KEEP THE DOOR OPEN TO FURTHER US PROPOSALS ON THE SEVEN PRINCIPLES, THE AMBASSADOR OFFERED AN EXPLANATION OF CIRCULAR 175 PROCEDURE. HE ASSURED ANAN THAT WASHINGTON WAS MOVING URGENTLY WITH A VIEW TOWARD PRESENTING US SUGGESTIONS ON LANGUAGE.

4. IGNORING THIS, ANAN LAID OUT BROADLY AND BLUNTLY THE POSITION OF THE RTG. THE THAI WOULD PREFER THAT THE US ACCEPT THE SEVEN PRINCIPLES AS IS. BEARING  
SECRET

SECRET

PAGE 03 BANGKO 04894 01 OF 03 031453Z

IN MIND THE PAST, PRESENT AND FUTURE SPIRIT OF THAI-US COOPERATION, THEY WERE PREPARED THEREAFTER TO NEGOTIATE NEW AGREEMENTS, BUT BEFORE THIS COULD BE DONE, THE SEVEN PRINCIPLES HAD TO BE ACCEPTED BY THE

US. UNLESS THEY WERE ACCEPTED BEFORE MARCH 20, THE RTG WOULD ON MARCH 20 BE COMPELLED TO ASK THE US TO WITHDRAW ALL MILITARY AND OTHER DEFENSE DEPARTMENT

PERSONNEL EXCEPT JUSMAG.

5. THE AMBASADOR INQUIRED WHETHER THE LANGUAGE OF THE SEVEN PRINCIPLES WAS NEGOTIABLE, ANAN REPLIED THAT IT WAS, ON MINOR POINTS, EXCEPT FOR PRINCIPLE ONE, WHERE THE EXISTING LANGUAGE WAS INVOLABLE. ANAN ALSO REPEATED A CLARIFICATION HE HAD OFFERED EARLIER, SAYING THAT THE REFERENCE IN PRINCIPLE ONE, TO "SPECIFIC AGREEMENTS" MEANT AGREEMENTS TO BE CONCLUDED IN THE FUTURE, AND COULD NOT BE TREATED AS A REFERENCE TO EXISTING AGREEMENTS. THE AMBASSADOR POINTED OUT THAT THE RTG WAS ASKING THE US TO ACCEPT AS IMMUTABLE A PRINCIPLE WHICH IN ITS PRESENT FORM CONFRONTED US WITH SERIOUS PRACTICAL AND LEGAL DIFFICULTIES. HE CITED DUTY-FREE IMPORT PRIVILEGES AS AN EXAMPLE. ANAN REMARKED THAT SUCH MATTERS WOULD HAVE TO BE NEGOTIATED, BUT OFFERED HIS WORD THAT SUCH THINGS AS DUTY-FREE IMPORT PRIVILEGES WOULD NOT PROVE TO BE A PROBLEM.

6. THE AMBASSADOR SUGGESTED THAT THE TWO SIDES, BETWEEN NOW AND MARCH 20, COULD PURSUE THE QUESTION OF EXCEPTIONS TO PRINCIPLE ONE AND THE US COULD SEEK AN EXPRESSION OF THAI WILLINGNESS DE FACTO TO GO ALONG WITH PRIVILEGES AND IMMUNITIES EXISTING UNDER PRESENT AGREEMENTS, UNTIL NEW ONES HAD BEEN NEGOTIATED. ANAN REJECTED THIS.

7. ANAN ASSERTED THAT THE PRIME MINISTER AGREED WITH HIS POSITION THAT THE LANGUAGE OF PRINCIPLE ONE COULD NOT BE CHANGED. THE AMBASSADOR CHALLENGED THIS, STATING THAT ON THE BASIS OF HIS CONVERSATION WITH THE PRIME MINISTER IN THE ABSENCE OF CHATCHAI  
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SECRET

PAGE 04 BANGKO 04894 01 OF 03 031453Z

AND ANAN, HE THOUGHT THE PRIME MINISTER HAD AGREED WITH THE US VIEW THAT FOR PRACTICAL REASONS, IT WOULD BE NECESSARY TO CONTINUE UNDER EXISTING ARRANGEMENTS. ANAN DID NOT RESPOND DIRECTLY TO THIS, BUT INSTEAD VENTED HIS SPLEEN AGAINST CONTACTS MADE BY US OFFICIALS WITH THAI OFFICIALS OUTSIDE THE MINISTRY OF FOREIGN AFFAIRS IN CONNECTION WITH THE SEVEN PRINCIPLES. THE AMBASSADOR ASSURED HIM THAT THE US WAS CONVINCED THAT THAI-AMERICAN RELATIONS SHOULD BE DEALT WITH THROUGH THE MINISTRY OF FOREIGN AFFAIRS. HE SAID THAT THE US POSITION ON THE SEVEN PRINCIPLES WAS KNOWN TO HIS PRINCIPAL ADVISERS, AND SAW NO REASON FOR EXCITEMENT IF THEY DISCUSSED THEM WITH THEIR THAI CONTACTS IN THE NORMAL COURSE OF EVENTS.

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PAGE 01 BANGKO 04894 02 OF 03 031610Z

47

ACTION EA-06

INFO OCT-01 SS-14 ISO-00 PM-03 CIAE-00 INR-05 INRE-00

NSC-05 NSCE-00 SP-02 L-01 PRS-01 OMB-01 SAM-01 EAE-00

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O 031331Z MAR 76

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC IMMEDIATE 9502

INFO SECDEF WASHDC IMMEDIATE

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DIRNSA IMMEDIATE

COMUSMACTHAI IMMEDIATE

S E C R E T SECTION 2 OF 3 BANGKOK 4894

LIMDIS

CINCPAC ALSO FOR POLAD

8. ANAN REPEATED THAT WHILE SOME OF THE PRINCIPLES COULD BE CHANGED, THE FIRST PRINCIPLE WAS CRUCIAL. WORAPHUT ADDED THAT IT WAS NOT POSSIBLE AT THIS STAGE TO DISCUSS OTHER MATTERS, SUCH AS PRIVILEGES AND IMMUNITIES, UNDER THE RUBRIC OF PRINCIPLE ONE BECAUSE A NUMBER OF RELATED QUESTIONS HAD NOT YET BEEN SETTLED, E.G., THE AUTHORITY OF THAI BASE COMMANDERS AT VARIOUS INSTALLATIONS. IN HIS VIEW, ONCE THE MECHANICS OF OPERATIONS AT THE VARIOUS INSTALLATIONS HAD BEEN ESTABLISHED, IT WOULD THEN BE POSSIBLE TO WORK OUT WHAT KIND OF PRIVILEGES AND IMMUNITIES WOULD BE JUSTIFIED UNDER THE CIRCUMSTANCES. THE AMBASSADOR REBUTTED THIS, OBSERVING THAT CERTAIN QUESTIONS WERE INDEPENDENT OF SPECIFIC INSTALLATIONS OR COMMON TO ALL, AND THAT THESE COULD BE DISCUSSED NOW.

9. RETURNING TO HIS MAIN THEME, ANAN SAID THAT THE FUNDAMENTAL POINT WAS THAT THE THAI WERE NOT SATISFIED

SECRET

SECRET

PAGE 02 BANGKO 04894 02 OF 03 031610Z

WITH PREVIOUS ARRANGEMENTS. THE AMBASSADOR, ACCEPTING THAT STATEMENT, POINTED OUT THAT NONETHELESS THE THAI POSITION ON THE SEVEN PRINCIPLES WOULD LEAVE A HIATUS. THOSE RESPONSIBLE FOR THE WELFARE OF OUR MILITARY PERSONNEL WOULD WANT TO KNOW WHAT WOULD HAPPEN IN THE EVENT A PROBLEM SHOULD ARISE AFTER EXISTING PROCEDURES HAD BEEN SCRAPPED AND BEFORE NEW AGREEMENTS HAD BEEN NEGOTIATED. ANAN REPLIED THE RTG WOULD DO ITS BEST TO CONCLUDE NEW AGREEMENTS RAPIDLY AFTER MARCH 20. WORAPHUT ADDED THAT THE THAI HAD ANTICIPATED THAT NEW AGREEMENTS MIGHT BE NEGOTIATED BEFORE MARCH 20, THUS LEAVING NO HIATUS.

10. THE AMBASSADOR POINTED OUT THAT TIME WAS RUNNING OUT. THE ASEAN MEETING AND OTHER EVENTS HAD DELAYED THE DIALOGUE. HE PROPOSED THAT AS THE TWO SIDES NEGOTIATED ON THE SEVEN PRINCIPLES, EXISTING ARRANGEMENTS CONTINUE IN EFFECT. THEREAFTER, THERE COULD BE OTHER NEGOTIATIONS, WHICH MIGHT BE PROTRACTED, LOOKING TOWARD NEW AGREEMENTS. ANAN REPLIED THAT THE ACCEPTANCE OF THE SEVEN PRINCIPLES WAS A MATTER OF GREAT URGENCY. HE SAID THAT MARCH 20 WAS APPROACHING AND THAT THE RTG HAD MADE A COMMITMENT TO PARLIAMENT AND THE PEOPLE. THE AMBASSADOR STATED THE US INTERPRETATION OF THE SIGNIFICANCE OF MARCH 20: ON THAT DATE, ALL US COMBAT PERSONNEL WOULD HAVE LEFT THAILAND. OTHER U.S. PERSONNEL WOULD REMAIN AT CERTAIN INSTALLATIONS IN THE COMMON INTEREST AND WITH THE AGREEMENT OF THE RTG. THESE INSTALLATIONS THEMSELVES WOULD HAVE BEEN TURNED OVER TO THE THAI.

11. ANAN REPLIED THAT THE GOVERNMENT HAD ALSO MADE A COMMITMENT TO THE PEOPLE TO REVIEW ALL THAI-US AGREEMENTS. HE SAID THAT THE POSITION HE WAS TAKING TODAY WAS THE RESULT OF THAT REVIEW. ALTHOUGH IT WAS POINTED OUT TO HIM THAT THE COMPLETION OF THE THAI REVIEW OF AGREEMENTS HAD NEVER BEEN TIED TO ANY SPECIFIC DATE, HE MAINTAINED THAT THERE WAS A CLOSE RELATIONSHIP TO MARCH 20.

12. THE AMBASSADOR SOUGHT TO ELICIT FROM ANAN A  
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SECRET

PAGE 03 BANGKO 04894 02 OF 03 031610Z

DESCRIPTION OF WHAT THE THAI WISHED THE SITUATION

OF US FORCES TO BE ON MARCH 20. ANAN INITIALLY SOUGHT TO EVADE A REPLY, SAYING THAT THE US SHOULD NOT INTERPRET THE THAI USE OF THE TERM "COMBAT FORCES" TOO LITERALLY. THERE WERE US FORCES PERSONNEL IN THAILAND WHO, WHILE THEY HAD THEMSELVES NOT DIRECTLY ENGAGED IN COMBAT OPERATIONS, HAD IN FACT BEEN PART OF THOSE OPERATIONS, SUCH AS MANY OF THE PERSONNEL AT UTAPAO. IT WAS NECESSARY TO EXPLAIN TO THE THAI PEOPLE WHY THOSE PERSONNEL WERE STILL THERE. IN ANY CASE, SAID ANAN TENACIOUSLY, BEFORE ANSWERING SUCH A QUESTION IT WAS NECESSARY TO KNOW WHETHER THE US WOULD ACCEPT THE SEVEN PRINCIPLES.

13. SPECIFYING THAT HE WAS SPEAKING NOT ONLY FOR THE MINISTRY OF FOREIGN AFFAIRS, BUT ALSO FOR THE NATIONAL SECURITY COUNCIL, THE MINISTRY OF DEFENSE AND THE PRIME MINISTER, ANAN REPEATED THAT IF THERE HAD BEEN NO AGREEMENT ON THE SEVEN PRINCIPLES BY MARCH 20, THE RTG WOULD HAVE TO ANNOUNCE THAT IT WAS ASKING ALL AMERICAN MILITARY AND DOD CIVILIAN PERSONNEL EXCEPT JUSMAG TO LEAVE. FINALLY ANSWERING THE AMBASSADOR'S QUESTION, ANAN SAID THAT IF THE SEVEN PRINCIPLES WERE AGREED, THE RTG WOULD ON MARCH 20 WANT TO BE ABLE TO SAY THAT ALL US COMBAT FORCES WERE OUT AND THAT A CERTAIN US PRESENCE WOULD REMAIN AT SPECIFIC INSTALLATIONS, AND THE RTG MIGHT EVEN BE WILLING TO SAY THAT NEW STATUS AGREEMENTS WOULD BE CONCLUDED. THIS STATUS, HOWEVER, WOULD HAVE TO BE NEW, RECOGNIZE THAILAND'S SOVEREIGNTY, AND SERVE MUTUAL INTERESTS. THE AMBASSADOR SAW NO DIFFICULTY WITH ANAN'S FORMULATION OF THE POSITION ON MARCH 20, BUT NOTED THAT AGREEMENT ON THE SEVEN PRINCIPLES WAS NOT NECESSARY IN ORDER FOR SUCH A STATEMENT TO BE MADE.

SECRET

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SECRET

PAGE 01 BANGKO 04894 03 OF 03 031704Z

47

ACTION EA-06

INFO OCT-01 SS-14 ISO-00 PM-03 CIAE-00 INR-05 INRE-00

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O 031331Z MAR 76  
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S E C R E T FINAL SECTION OF 3 BANGKOK 4894

LIMDIS

CINCPAC ALSO FOR POLAD

14. ANAN HINTED THAT THE SEVEN PRINCIPLES WOULD BE PUBLISHED, AT LEAST IN SUBSTANCE. HE OBSERVED THAT THAILAND WAS NOW AN OPEN SOCIETY, AND THAT THE RAMASUN AGREEMENT HAD BEEN KEPT SECRET FROM THE MINISTRY OF FOREIGN AFFAIRS FOR SIX YEARS. WHEN THE AMBASSADOR POINTED OUT THAT THIS WAS IN INTERNAL THAI PROBLEM, ANAN SAID THAT THE US HAD CONTRIBUTED TO IT. HE SAID THAT WHAT HE WAS DOING NOW WAS MERELY TRYING TO ACCOMMODATE PRESENT REALITIES.

15. THE AMBASSADOR PROBED ANAN ON WHETHER THERE COULD BE AT LEAST A TACIT UNDERSTANDING THAT PENDING NEGOTIATIONS, THE MANNER IN WHICH STATUS PROBLEMS HAD BEEN HANDLED IN THE PAST COULD BE CONTINUED. ANAN SAID NO, REJECTING THE IDEA THAT EXISTING AGREEMENTS COULD BE CONTINUED EVEN ON A "GENTLEMEN'S AGREEMENT" BASIS.

SECRET

SECRET

PAGE 02 BANGKO 04894 03 OF 03 031704Z

16. THE AMBASSADOR EXPLAINED THE PROBLEM THIS POSITION POSED FOR THE US DEFENSE DEPARTMENT. MILITARY PERSONNEL WERE NOT GIVEN A CHOICE OF ASSIGNMENTS. THEY WERE ORDERED TO THAILAND, AND THIS IMPOSED SPECIAL OBLIGATIONS TOWARD THEM ON THE US GOVERNMENT. ANAN ONCE MORE MADE A GENERAL STATEMENT OF GOOD INTENTIONS AND BELITTLED THE NOTION THAT THERE WAS NEED FOR WRITTEN DOCUMENTS, WHICH IN ANY CASE WOULD BE OF NO EFFECT IN THE ABSENCE OF POLITICAL WILL. HE SAID THAT IN THE PAST, MATTERS OF THE KIND UNDER DISCUSSION HAD BEEN HANDLED EASILY AND SMOOTHLY DESPITE THE LACK OF A STATUS OF FORCES AGREEMENT.

17. ANAN ASKED THE AMBASADOR TO EMPHASIZE TO HIS GOVERNMENT THAT ONLY 17 DAYS REMAINED BEFORE MARCH

20 AND THAT IT WAS URGENT TO ACT ON THE SEVEN PRINCIPLES.  
UNLESS THESE HAD BEEN AGREED, THE RTG WOULD FACE A  
GRAVE DOMESTIC POLITICAL PROBLEM. IN THE MEANTIME,  
IN THE ABSENCE OF AGREEMENT ON THE SEVEN PRINCIPLES, THE  
US SHOULD GRADUALLY REDUCE THE NUMBERS OF PERSONNEL  
AND AIRCRAFT AT UTAPAO, EVEN BEFORE MARCH 20.  
THIS SPECIFICALLY INCLUDED U-2 AND P-3 AIRCRAFT.  
IF THE SEVEN PRINCIPLES COULD BE AGREED, IT WOULD THEN  
BE POSSIBLE TO ARRANGE FOR THE PRESENCE OF U-2  
AND P-3 AIRCRAFT AND APPROPRIATE NUMBERS  
OF PERSONNEL  
TO GO WITH THEM. (COMMENT: ANAN DURING THE CONVERSATION  
SEVERAL TIMES HINTED THAT THE THAI FOUND THE  
PROPOSED RESIDUAL PRESENCE AT UTAPAO MUCH TOO LARGE).

18. THE AMBASSADOR POINTED OUT THAT THE US FORCES  
WITHDRAWAL ITSELF WAS PROCEEDING AS PREVIOUSLY DISCUSSED  
WITH THE FOREIGN MINISTER. ON MARCH 20, THE NUMBER  
OF PERSONNEL WOULD, OF COURSE, STILL BE ABOVE THE ROUGHLY  
3,000 THAT WOULD CONSTITUTE THE RESIDUAL FORCE,  
AND THE ADDITIONAL PERSONNEL WOULD BE CONDUCTING  
RETROGRADE OPERATIONS. WHAT REMAINED TO BE DONE ON  
AN URGENT BASIS WAS TO MAKE ARRANGEMENTS FOR INSTALLA-  
TION TURNOVERS. THE PRIME MINISTER, HE SAID, HAD  
AGREED THAT THIS WAS AN IMPORTANT SYMBOLIC ACT.  
THIS MATTER COULD NOT AWAIT AGREEMENT ON THE SEVEN  
SECRET

SECRET

PAGE 03 BANGKO 04894 03 OF 03 031704Z

PRINCIPLES.

19. TAKING THE AMBASSADOR UP ON THE WORD, "SYMBOLIC,"  
ANAN SAID THAT THE THAI DID NOT REGARD THE TURNOVER  
AS A TOKEN TRANSFER. THE AMBASSADOR REPLIED THAT  
THE PRIME MINISTER HAD SEEMED TO UNDERSTAND THE  
TERM "TURNOVER" AS THE US DID, ANAN INSISTED THAT,  
WHILE THE TURNOVER NEED HAVE NO EFFECT ON OPERATIONS  
WITHIN THE INSTALLATIONS, IT WAS MORE THAN SYMBOLIC.  
THE NEW ELEMENT WAS CONTAINED IN THE SEVEN PRINCIPLES,  
HE SAID.

20. THE AMBASSADOR OBTAINED ANAN'S AGREEMENT THAT  
TURNOVER PLANNING ITSELF COULD CONTINUE THROUGH THE  
SAIYUT COMMITTEE. HE ASKED ANAN WHAT HE SAW AS THE NEXT  
STEP, AND NOT SURPRISINGLY, ANAN REPLIED THAT THE  
REQUIRED NEXT STEP WAS AGREEMENT ON THE SEVEN PRINCIPLES.

21. RETURNING TO THE QUESTION OF NUMBERS OF PERSONNEL,  
THE AMBASSADOR SAID THAT HE THOUGHT REFINEMENT OF THE  
FIGURES WOULD CONTINUE AFTER MARCH 20 AND THAT AT  
SOME POINT NOT TOO LONG THEREAFTER AS THE US GOT A

MORE PRECISE FIX  
ON ITS NEEDS, THERE COULD PROBABLY  
BE FURTHER REDUCTIONS BELOW THE FIGURES GIVEN TO THE  
RTG. HE SAID THAT THESE ADDITIONAL REDUCTIONS, HOWEVER,  
WOULD BE HARD TO ACCOMPLISH BETWEEN NOW AND MARCH 20.

22. ANAN RESPONDED WITH ANOTHER DECLARATION OF GOOD  
INTENTIONS, ASSURING THE AMBASSADOR THAT IT WAS NOT  
RTG POLICY TO UNDERMINE FRIENDLY COOPERATION BETWEEN  
THE TWO COUNTRIES. HE SAID THAT THAILAND HAD ITS  
OWN POLITICAL PROBLEMS TO RESOLVE AND NEEDED US  
COOPERATION. THAILAND WOULD MADE EVERY EFFORT TO  
PROMOTE FRIENDSHIP WITH THE US IN THE SPIRIT THAT HAD  
EXISTED IN THE PAST. WITH AGREEMENT ON THE SEVEN  
PRINCIPLES, A NEW CHAPTER IN THAI-AMERICAN FRIEND-  
SHIP WOULD OPEN. HE ASKED THE AMBASSADOR TO HELP  
THAILAND TO JUSTIFY A CONTINUING US PRESENCE TO THE  
PUBLIC.

SECRET

SECRET

PAGE 04 BANGKO 04894 03 OF 03 031704Z

23. THE AMBASSADOR SAID THAT THE US, FOR ITS PART,  
WOULD NEED THAILAND'S HELP WITH THE PROBLEM OF THE  
HIATUS IN THE STATUS OF US PERSONNEL. ANAN SAID THAT  
THE US COULD NOT EXPECT HELP ON THAT. IT WAS NECESSARY  
TO ABANDON PAST PRACTICES.

24. COMMENT FOLLOWS SEPTEL.  
WHITEHOUSE

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